IN THE HIGH COURT OF JUDICATURE AT PATNA
SA No.142 of 2005
TARESHWARI KUMAR DEWIVEDI
Versus
DHIRAJA DEVI & ORS

09/ 25.02.2010 Heard learned counsel for the appellant.

This second appeal will be heard. Admit

Following substantial questions of law arise for consideration in the instant second appeal:

1) Whether the learned court of appeal below while reversing the judgment and decree of the trial court failed to appreciate the effect of section 34 of the Specific Relief Act on the suit filed by the plaintiffs?

2) Whether the execution of deed of gift in question required any permission under section 5 of the Consolidation of Holdings and Prevention of fragmentation Act?

Let appeal notices be issued to respondents through ordinary process for which talbana etc must be filed by the appellant within one week, failing which the appeal shall stand dismissed without further reference to the Bench.

Call for the records from the lower court.

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shahid (S.N. Hussain,J)